

# EXHIBIT H

# CIPRIANI & WERNER

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December 30, 2020

## VIA EMAIL

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**RE: *In re: Valsartan, Losartan, and Irbesartan Products Liability Litigation,  
United States District Court for the District of New Jersey, MDL No. 2875***  
**Deficiencies in Plaintiffs' Responses and Objections to Defendants' First Set  
of Requests For Production to Economic Loss Class Action Plaintiff  
Consumer Class Representatives**

Dear Counsel:

I write on behalf of all Defendants. We have reviewed Plaintiffs' above-referenced responses **and objections** and have identified several deficiencies.

Plaintiffs' responses violate the Court's Case Management Order No. 21 that requires that the document requests "shall be responded to without objection." Dkt. No. 633, and Exhibit B thereto. Despite this Court Order, Plaintiffs improperly issued "general objections" and further issued specific objections to Request Nos. 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11.

MDL Plaintiffs' Co-Lead Counsel  
December 30, 2020  
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Plaintiffs improperly issued a general objection and specifically objected to Request Nos. 1, 2, 3, 4, 5, 6, 9, 10, and 11 “to the extent that Defendants are seeking information protected by the attorney-client privilege or the work product doctrine,” despite the fact that Defendants’ requests specifically stated that the requests “seek only non-privileged information.” Dkt. No. 633 Ex. B Definition and Instruction No 24. To the extent any Plaintiff has withheld any document on the basis of this objection, each such Plaintiff must produce a privilege log that complies with the ESI Protocol in this case. Dkt. No. 127.

Additionally, Plaintiffs improperly issued a relevance objection to Request No. 7 due to “[d]efendants seek[ing] information that is neither relevant to any claim or defense of any party nor reasonably calculated to lead to the discovery of admissible evidence.” This objection not only violates the above referenced Case Management Order, but, assumes, without any basis, that the documents requested will not support a defense in this matter. To the extent any Plaintiff has withheld any document on the basis of this objection, all such documents must be produced.

Defendants request that Plaintiffs withdraw all objections and produce revised responses, any document withheld on the basis of Plaintiffs’ relevance objection, and a privilege log for any document withheld on the basis of Plaintiffs’ privilege objection within ten (10) days. Kindly be advised that Defendants intend to raise this matter with the Court at the January mid-month conference if we do not hear from the Plaintiffs.

Sincerely,

/s/ Jessica M. Heinz  
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**RE: *In re: Valsartan, Losartan, and Irbesartan Products Liability Litigation,*  
United States District Court for the District of New Jersey, MDL No. 2875  
Deficiencies in Plaintiffs' Responses and Objections to Defendants' First Set  
of Requests for Production to Medical Monitoring Class Action  
Representatives**

Dear Counsel:

I write on behalf of all Defendants regarding Plaintiffs' above-referenced responses **and objections**.

Those responses violate the Court's Case Management Order No. 21 that requires that the document requests "shall be responded to without objection." Dkt. No. 633, and Exhibit A thereto. Despite this Court Order, Plaintiffs improperly issued "general objections" and further issued specific objections to every request "to the extent that Defendants are seeking information protected by the attorney-client privilege or the work product doctrine," despite the fact that Defendants' requests specifically stated that the requests "seek only non-privileged information."

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Dkt. No. 633 Ex. A Definition and Instruction No. 18. To the extent any Plaintiff has withheld any document on the basis of this objection, each such Plaintiff must produce a privilege log that complies with the ESI Protocol in this case. Dkt. No. 127.

Defendants request that Plaintiffs withdraw all objections and produce revised responses and a privilege log for any document withheld on the basis of Plaintiffs' privilege objection within ten (10) days. Kindly be advised that Defendants intend to raise this matter with the Court at the January mid-month conference if we do not hear from the Plaintiffs.

Sincerely,

/s/ Jessica M. Heinz  
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